

**MINUTES OF SEA CLIFF VILLAGE BOARD**  
**April 2, 2012**

The Annual Organization Meeting of the Board of Trustees of the Incorporated Village of Sea Cliff, Nassau County, New York, was held in the Community Center of said Village on Monday, April 2, 2012 at 8:00 p.m.

PRESENT:     Bruce Kennedy, Mayor  
                 Carol Vogt, Trustee  
                 Thomas Murphy, Trustee  
                 Thomas Powell, Trustee  
                 Peter Hayes, Trustee  
                 Marianne Lennon, Village Clerk  
                 Brian Stolar, Village Attorney

**PRESENTATION OF COLORS & PLEDGE ALLEGIANCE TO THE FLAG**

**Mayor Bruce Kennedy:**    Welcome to the Annual Organization Meeting of the Incorporated Village of Sea Cliff. Presentation of Colors by Boy Scout Troop 43. The scouts: Ata Koray, Matthew Greco, Michael Imbriano, Joey Spivak, R.J. Pisciotta, Joseph Chebuske and Derek Korponay.

Invocation – Pastor David Collins

On a motion by Trustee Vogt, seconded by Trustee Hayes and unanimously approved by those present, the minutes of March 12, 2012 and March 21, 2012 were approved.

On a motion by Trustee Vogt, seconded by Trustee Hayes and unanimously approved by those present, Abstract No. 2295 in the amount of \$ 40,577.48, Abstract No. 2296 in the amount of \$148,009.05 and Abstract No. 2297 in the amount of \$170,467.59 were approved.

**MAYOR KENNEDY**

Good evening and thank you for joining us tonight as Trustee Hayes and Trustee Powell begin their second term.

**SWEARING-IN**

The Mayor congratulated Trustee Peter Hayes and Trustee Tom Powell on their re-election as Village Trustee for two years.

Judge Reali administered the Oath of Office to Trustee Hayes and Trustee Powell.

Mayor Kennedy thanked Chris Scott, Francis O’Hanlon, Harry Del Favarro and Kathy Lieberman for their service on various Village Boards and Committees.

**APPOINTMENTS**

Mayor Kennedy appointed **John Mirando** as Director of Public Works/Administrator for a term of one year, **Drew Lawrence**, as Superintendent of Buildings for one year, **Marianne Lennon**, as Collector of Taxes and Registrar of Vital Statistics for a term of one year; **Brian S. Stolar**, as Village Attorney for one year.

Trustee Vogt moved that these appointments made by the Mayor be approved, seconded by Trustee Murphy and unanimously carried.

The Oath of Office was administered by Mayor Kennedy .

**Mayor Kennedy** appointed the following persons to the positions and terms indicated:

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|                    |   |
|--------------------|---|
| Patricia Guy       | Deputy Village Clerk, Deputy Registrar (1 year)                                 |
| Kathy Mackney      | Court Clerk (1 year)  |
| Barbara Murray     | Deputy Court Clerk (1 year)   |
| Paula Guidone      | Deputy Village Treasurer (1 year)   |
| Karen Schenck      | Tax Clerk (1 year)  |
| Nancy Eder         | Building Department Coordinator (1 year)  |
| Kathy Hesse        | Part time Clerk   |
| Lorraine Baker     | Secretary to the Zoning Board   |
| Carl Rumatowski    | Fire Prevention Officer, Plumbing Inspector<br>And Dog Control Officer (1 year) |
| Ann Kopple         | Beach Manager (1 year)  |
| Lenny Kaplan       | Section 8 - Administrator (1 year)  |
| Sara Reres         | Museum Director (1year)   |
| Kathleen Van Bloem | Grant & Contracts Coordinator & Community Develop.                              |
| Karen Montagnese   | Senior Outreach Worker  |
| Ted Kolakowski     | Parking Violations Officer, Dog Control Officer                                 |
| Tillman Brown      | Parking Violations Officer, Dog Control Officer                                 |

Trustee Vogt moved that the appointments made by the Mayor be approved. Seconded by Trustee Murphy and unanimously carried.

The Oath of Office was administered to the newly appointed officials by Mayor Kennedy.

**Mayor Kennedy** appointed the following person to the positions and terms indicated:

|                    |                                |
|--------------------|--------------------------------|
| Susan Katz Richman | Acting Village Justice (1year) |
|--------------------|--------------------------------|

Trustee Vogt moved that the appointments made by the Mayor be approved. Seconded by Trustee Murphy and unanimously carried.

Judge Reali administered the Oath of Office to Susan Katz Richman.

**Mayor Kennedy** appointed the following persons to the positions and for the terms indicated:

|                  |   |
|------------------|---|
| Donald Kavanagh  | Architectural Review Board (3 years)<br>Chairperson (1year) |
| James Mozer      | Architectural Review Board (3 years)                        |
| David Digiovanni | Architectural Review Board (3 years)                        |
| Peter Fleishman  | Architectural Review Board (1 year)                         |

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|                  |  |
|------------------|--|
| Bruce Treiber    | Planning Board Chairperson (1year)                           |
| Ed Camiolo       | Planning Board (5 years)                                     |
| Edward Lieberman | Planning Board Alternate (2 Years)                           |
| Kevin McGilloway | Zoning Board of Appeals Chairperson (1year)                  |
| James Weil       | Zoning Board of Appeals (5 year)                             |
| Tom Powell       | Delegate – Hempstead Harbor Protection Committee<br>(1 year) |
| Jean Davis       | Village Historian/Landmark Preservation -(1 year)            |
| Priscilla Waltz  | Village Co-Historian (1 year)                                |

Trustee Vogt moved the appointments made by the Mayor be approved. Seconded by Trustee Murphy and unanimously carried.

The Oath of Office was administered to the newly appointed officials by Mayor Kennedy.

**Mayor Kennedy** appointed the following persons to the positions and for the terms indicated:

**Members - Service Award Commission (1 year)**

|                   |                 |
|-------------------|-----------------|
| Elena Villafane   | Howard Aranoff  |
| Ernest Longobucco | James O'Donnell |

**Members – Community Development Advisory Board (1 year)**

|             |                 |
|-------------|-----------------|
| Julya Brown | Laurie Petroske |
| Jack Pierce |                 |

**Landmarks Preservation Commission**

|               |  |
|---------------|--|
| Naomi Curtis  | Landmark Preservation Commission Chairperson (2 years) |
| Leslie Guerri | Landmark Preservation Commission (3 years)             |

Trustee Murphy moved the appointments made by the Mayor be approved. Seconded by Trustee Powell and unanimously carried.

The Oath of Office was administered to the newly appointed officials by Mayor Kennedy.

Mayor Kennedy appointed the following persons to the positions and for the terms indicated:

**Members– Senior Action Committee (1 year)**

|                        |                  |
|------------------------|------------------|
| Jean Stratford – Chair | Alice Reiger     |
| Alice O'Donnell        | Carol Hartney    |
| Joyce Kaufmann         | Debbie Pierce    |
| Ann Costagliola        | Genevieve Woods  |
| Phil Como              | Janette Heurtley |
| Lee Janelli            | Dan Maddock      |
| Maureen Maddock        | Frank Murray     |
| Carol Mutee            | Chris Scott      |

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Phyllis Sczesnak  
Kathleen VanBloem

Patti Smith

Trustee Murphy moved the appointments made by the Mayor be approved. Seconded by Trustee Powell and unanimously carried.

The Oath of Office was administered to the newly appointed officials by Mayor Kennedy.

Mayor Kennedy appointed the following persons to the positions and for the terms indicated:

**Members–Village Bulletin Staff (1 year)**

|                  |                 |
|------------------|-----------------|
| Barbara Murray - | Managing Editor |
| Frank Murray     | Carol Griffin   |
| Margaret Malone  | Suzanne Bohn    |
| Dan Maddock      |                 |

Trustee Powell moved the appointments made by the Mayor be approved. Seconded by Trustee Hayes and unanimously carried.

The Oath of Office was administered to the newly appointed officials by Mayor Kennedy.

Mayor Kennedy appointed the following persons to the positions and for the terms indicated:

**Members – Board of Assessment Review (1 year)**

|                   |                  |
|-------------------|------------------|
| Phil Como, Chair  | Edward Lieberman |
| Barbara Sinenberg | Steve Tandy      |
| Jonathan Waechter | Ralph Hochberg   |

Trustee Powell moved the appointments made by the Mayor be approved. Seconded by Trustee Hayes and unanimously carried.

The Oath of Office was administered to the newly appointed officials by Mayor Kennedy.

Mayor Kennedy appointed the following persons to the positions and for the terms indicated:

**Members – Veteran’s Committee (1 year)**

|                             |                |
|-----------------------------|----------------|
| Scott Whitting, Chairperson |                |
| George Christman            | Ted Kopczynski |
| Phil Como                   | Ernie Franck   |

**Members - Waterfront/Environment Committee (1 year)**

|                          |                  |
|--------------------------|------------------|
| Debra Dumas, Chairperson |                  |
| Claudia Moyne            | Lisa DiBeneditis |
| Martine Reed             | Edward Lieberman |
| Kristine Livadas         |                  |

**Members – Examining Board of Plumbers Committee**

Glenn Bunce (1 year)  
George Coyle (3 years)

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**MEMBERS – MUSEUM BOARD**

John Laruccia  
Jackie Warren

Member (3 years)  
Member (3 years)

Trustee Hayes moved the appointments made by the Mayor be approved. Seconded by Trustee Vogt and unanimously carried.

The Oath of Office was administered to the newly appointed officials by Trustee Vogt.

Mayor Kennedy appointed Trustee Vogt to serve as DEPUTY MAYOR in the absence of the Mayor.

Trustee Hayes moved that appointment be approved. Seconded by Trustee Powell and unanimously carried.

Mayor Kennedy offered the following resolutions for adoption:

**RESOLUTION NO. 21, YEAR 2012**

**RESOLVED**, that the GOLD COAST GAZETTE be and the same is hereby designated as the OFFICIAL PAPER of the Village of Sea Cliff.

**RESOLUTION NO. 22, YEAR 2012**

**RESOLVED**, that the following be and the same hereby are designated as the official depositories for the deposits of Village money:

Citi Bank  
Bank of America  
First National Bank of Long Island  
TD Bank  
HSBC Bank, USA  
J.P. Morgan/Chase Bank

and be it further;

**RESOLVED**, that all deposits of the Village in excess of the amount insured under the provisions of the Federal Deposit Insurance Act, as now or hereafter amended, and all certificates of deposit and special time deposits, shall be secured by a pledge or eligible securities with an aggregate market value equal to the aggregate amount of deposits, as provided in General Municipal Law Section 10; and be it further

**RESOLVED**, that, in accordance with General Municipal Law Section 11, the Village authorizes the Village Treasurer to invest moneys not required for immediate expenditures for terms that shall permit such funds to be payable to the Village within such time as the proceeds shall be needed to meet expenditures for which such moneys were obtained in the investments set forth in General Municipal Law Section 11(3); and be it further

**RESOLVED**, that the Board of Trustees will periodically review the procedures for purchase of investment to ensure that they are in accordance with the December 1984 publication issued by the State Controller entitled "Cash Management and Investment Procedures for use by Local Government Officials"; and be it further

**RESOLVED**, that said funds shall be subject to signature control by the Village Treasurer as regards to all transactions of \$5,000.00 or less and that all transactions in excess of \$5,000.00 be

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subject to signature control by the Village Treasurer jointly with the Village Mayor or Village Deputy Mayor, and be it further

**RESOLVED**, that the Village Treasurer or Village Mayor are hereby authorized to transfer funds, in any amount, between accounts, and be it further

**RESOLVED**, that the Village Mayor or Deputy Mayor jointly with the Village Treasurer with appropriate attestation of signatures by the Village Clerk, are hereby authorized to effect loans and other forms of borrowing from the aforesaid banks upon delivery of written obligations or evidences of indebtedness as required by law.

**RESOLUTION NO. 23, YEAR 2012**

**WHEREAS**, the Board of Trustees has determined to authorize payment in advance of the audit of claims for certain recurring expenses, including public utility services and postage charges; and

**NOW, THEREFORE, BE IT RESOLVED**

That the Board of Trustees authorizes payment in advance of audit of claims for public utility services and postage charges. All such claims must be presented at the next regular meeting for audit and the claimant and the officer incurring or approving the claims are jointly and severally liable for any amount the Board of Trustees disallows.

**RESOLUTION NO. 24, YEAR 2012**

**Purchasing and Procurement Policy**

A. The Village shall not procure any goods or services without competitive bidding unless the Village Clerk has first determined and documented that such procurement is not required by law to be subject to competitive bidding.

B. Except for procurements made pursuant to subdivision 3 of section 103 or section 104 of the General Municipal Law, Section 175-b of the State Finance Law, Section 186 of the Correction Law, or the policies and procedures adopted pursuant to paragraph "F" of this resolution, alternative proposals or quotations for goods and services shall be secured by use of written requests for proposals, written quotations, verbal quotations or any other method of procurement which furthers the purposes of the resolution.

C. The method of procurement utilized shall be selected by the Village Clerk to take into account, in her discretion, the method that will best further the purposes of this resolution and the cost-effectiveness of the method.

D. Adequate documentation of each action taken in connection with each procurement

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subject to this resolution shall be maintained.

E. Documentation justifying any contract awarded to other than the lowest responsible dollar offeror, setting forth the reasons such an award furthers the purpose of this section shall be maintained.

F. The solicitation of alternative proposals or quotations will not be in the best interest of the Village in emergency situations or when entering into personal service contracts.

**RESOLUTION NO. 25, YEAR 2012**

After review by the Board of A148 in the Code of the Village of Sea Cliff regarding meeting procedures, be it

**RESOLVED**, that A148 be amended as follows:

**A148-4. Special meetings; notice to Trustees.**

- A. Special meetings of the Board may be called by the Mayor from time to time and shall be open to the public. Not less than 24 hours' notice of special meetings shall be given to the members of the Board of Trustees unless an emergency exists.

**A148-16. Agendas.**

The agenda shall be prepared by the Clerk at the direction of the Mayor. The Mayor or any Trustee may have an item placed on the agenda. When possible, items for the agenda shall be given to the Clerk at least 24 hours before the meeting, however, items may be placed on the agenda at anytime, including during the meeting.

The agenda shall be prepared by noon on the day of the meeting. If necessary, a supplemental agenda shall be distributed at the beginning of the meeting. Upon completion of the agenda, if time permits, the Clerk shall post the agenda on the Village website.

**A148-17. Guidelines for Public Comment.**

- A. The public shall be permitted to speak only during the public comment period of a meeting or at such other time as a majority of the Board shall permit.
- B. Speakers must step to the front of the room unless they are unable to physically do so.
- C. Speakers must give their name, address and organization, if any.
- D. Speakers must be recognized by the Mayor, or in the absence of the Mayor, the Deputy Mayor.
- E. Speakers must limit their remarks to 5 minutes on a given topic.
- F. Speakers may not yield any remaining time they may have to another speaker.
- G. Board members may, with the permission of the Mayor, interrupt a speaker during the speaker's remarks, but only for the purpose of clarification or information.
- H. All remarks shall be addressed to the Board as a body and not to any member thereof or a member of the public.
- I. Speakers shall observe the commonly accepted rules of courtesy, decorum, dignity and good taste.
- J. Interested parties or their representatives may address the Board by written communications.
- K. When deemed appropriate by the Mayor, any above guidelines may be waived.

**A.148-18. Guidelines for Use of Recording Equipment.**

All members of the public and all public officials are permitted to tape or video record public meetings. Recording is not permitted during executive sessions. Any permitted recording should be done in a manner which does not interfere with the meeting and does

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not interfere with safe access or egress. The Mayor may make the determination that the recording is being done in an intrusive or manner taking into consideration, but not limited to, brightness of lights, distance from the deliberations of the Village Board, size of the equipment, location of the equipment and the ability of the public to still participate in the meeting. If the Mayor makes the determination that the recording is intrusive and has the effect of interfering with the meeting or with the Board's deliberative process or determines that it has the potential to interfere with safe access or egress, the Mayor may request an accommodation to avoid the interference and if not complied with ask the individual to leave the meeting room.

**A148-19. Amendments to Rules of Procedure.**

The foregoing procedures may be amended from time to time by a majority vote of the Board.

**RESOLUTION NO. 26, YEAR 2012**

RESOLVED, that the Board of Trustees hereby approves the Mayor's appointment of Brian S. Stolar, as Village Attorney, to serve at the pleasure of the Mayor, and the services of such Village Attorney to be compensated pursuant to the retainer agreement with Brian S. Stolar, and it is further

RESOLVED, that the Board of Trustees hereby retains Sahn Ward Coschignano & Baker, PLLC, as special counsel to the Village for non-retainer legal services (including litigation matters or Village acquisition or sale of real estate) as may be required, the services of such special counsel to be compensated pursuant to the retainer agreement with such special counsel, and it is further

RESOLVED, that the Mayor is authorized to execute the retainer agreement with Brian S. Stolar and Sahn Ward Coschignano & Baker, PLLC, a copy of which will be affixed to and made a part of these minutes.

**RESOLUTION NO. 27, YEAR 2012**

RESOLVED, that the Board of Trustees hereby approves the Mayor's appointment of Richard Siegel, Esq., as special counsel for commercial tax certiorari proceedings, to serve at the pleasure of the Mayor, and the services of Mr. Siegel to be compensated pursuant to the retainer agreement with Richard Siegel, and it is further

RESOLVED, that the Mayor is authorized to execute the retainer agreement with Richard Siegel, a copy of which will be affixed to and made a part of these minutes.

**RESOLUTION NO. 28, YEAR 2012**

RESOLVED, that the Board of Trustees hereby approves the Mayor's appointment of Richard S. Prisco, as Village Prosecutor, and Brian S. Stolar, as Deputy Village Prosecutor, to serve at the pleasure of the Mayor, and be it further

RESOLVED, that the services of the Village Prosecutor be compensated pursuant to the retainer agreement with Richard S. Prisco, and be it further

RESOLVED, that the services of the Deputy Village Prosecutor be compensated at the rate of \$125 per hour, plus reimbursement of all reasonable and necessary disbursements incurred in connection with the performance of the duties described herein, and it is further

RESOLVED, that the office of Village Prosecutor shall prosecute all violations prosecuted in the Village Justice Court, and that the Deputy Village Prosecutor shall provide such services in the absence or unavailability of the Village prosecutor, and it is further



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RESOLVED, that the Mayor is authorized to execute the retainer agreement with Richard S. Prisco, as Village Prosecutor, a copy of which will be affixed to and made a part of these minutes.

**RESOLUTION NO. 29, YEAR 2012**

**WHEREAS**, Village Law §§7-712 and 7-718 provide that all planning board and zoning board of appeals members in New York State, as well as alternate members of those boards, must complete a minimum of four hours of training each year; and

**WHEREAS**, those sections of law provide that the legislative body of a village specify which activities qualify as training to satisfy the state requirements; and

**NOW, THEREFORE**, be it

**RESOLVED**, that the following list of agencies, commissions, associations, universities, persons, and other organizations are approved to provide training to meet the state requirements when the training they provide pertains to municipal planning, zoning, community design, environmental issues, economic development, and local government functions and practices:

- 1) The New York State Department of State, Office of the State Comptroller, Department of Health, Department of Transportation, Department of Environmental Conservation, Office of Parks, Recreation, and Historic Preservation, Hudson River Valley Greenway; and
- 2) The New York State Association of Towns, the New York Conference of Mayors, the New York State Association of Counties, the New York Planning Federation, the American Planning Association, the Upstate New York Chapter of the American Planning Association and its sections, and the Metro New York Chapter of the American Planning Association and its sections; and
- 3) Nassau County, Nassau County Planning Federation, Nassau County Planning Commission, Nassau County Attorney's Office, Nassau County planning department, and any other Nassau County department; and
- 4) Albany Law School Governmental Law Center and Institute for Legal Studies, Pace Law School and Land Use Law Center, Hofstra University School of Law, Touro College Jacob D. Fuchsberg Law Center, and the Lincoln Institute of Land Use Policy, New York Municipal Insurance Reciprocal; and
- 5) Village Attorney, Special Counsel to the Village, and on-line planning and zoning training programs offered by any of the above entities, organizations or persons;

**AND IT BE FURTHER**

**RESOLVED**, that other training activities may be approved on a case-by-case basis by the Village Board of Trustees upon the request of a planning board or zoning board of appeals member; and be it further

**RESOLVED**, that any new member appointed to fill the last 6 months of a term shall not be required to have attended training to be reappointed to a first full term, but must thereafter comply with the municipal training policy as provided elsewhere herein; and be it further

**RESOLVED**, that training received by a planning board or zoning board of appeals member in excess of four hours in any one year may be carried over by the member into succeeding years; and be it further

**RESOLVED**, that the one year period shall be based on the Village's fiscal year, and that one hour of such training shall consist of at least 50 minutes of instruction, exclusive of introductory remarks, meals, breaks, or other non-educational activities; and be it further

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**RESOLVED**, that the Village Clerk shall create and maintain a system of tracking the training individual members complete annually, and such information shall be presented to the Board of Trustees prior to considering a member for reappointment; and be it further

**RESOLVED**, that a planning board or zoning board of appeals member considered for reappointment for a term commencing in or after 2012 need not complete all required hours in the member's previous term to be eligible for reappointment provided that such member completes four hours of training (a) within sixty days of reappointment if such reappointment is for a term beginning in 2012 or (b) within the twelve months preceding any reappointment for a term beginning in or after 2013.

**RESOLUTION NO. 30, YEAR 2012**

**Village Board Meeting Dates**

|         |                    |                |         |                   |                |
|---------|--------------------|----------------|---------|-------------------|----------------|
| Monday  | April 2, 2012      | Annual Meeting | Monday  | October 1, 2012   | Conference     |
| Monday  | April 9, 2012      | Board Meeting  | Tuesday | October 9, 2012   | Board Meeting  |
|         | (Budget Hearing)   |                |         |                   |                |
|         |                    |                | Monday  | November 5, 2012  | Conference     |
|         |                    |                |         | November 12, 2012 | Board Meeting  |
| Monday  | May 7, 2012        | Conference     | Monday  |                   |                |
| Monday  | May 14, 2012       | Board Meeting  |         |                   |                |
|         |                    |                | Monday  | December 3, 2012  | Conference     |
|         |                    |                |         | December 10, 2012 | Board Meeting  |
| Monday  | June 4, 2012       | Conference     | Monday  |                   |                |
| Monday  | June 11, 2012      | Board Meeting  |         |                   |                |
|         |                    |                | Monday  | January 7, 2013   | Conference     |
| Monday  | July 2, 2012       | Conference     | Monday  | January 14, 2013  | Board Meeting  |
| Monday  | July 9, 2012       | Board Meeting  |         |                   |                |
|         |                    |                | Monday  | February 4, 2013  | Conference     |
| Monday  | August 6, 2012     | Conference     | Monday  | February 11, 2013 | Board Meeting  |
| Monday  | August 13, 2012    | Board Meeting  |         |                   |                |
|         |                    |                | Monday  | March 4, 2013     | Conference     |
| Tuesday | September 4, 2012  | Conference     | Monday  | March 11, 2013    | Board Meeting  |
| Monday  | September 10, 2012 | Board Meeting  |         |                   |                |
|         |                    |                | Monday  | April 1, 2013     | Annual Meeting |

On a motion by Mayor Kennedy, seconded by Trustee Hayes and unanimously approved by those present, the above resolutions were adopted.

**Mayor Kennedy** thanked all those who could not continue as members of Boards and Committees for their outstanding service.

Mayor Kennedy congratulated the newly elected officials and committee members, and thanked everybody for coming.

Mayor Kennedy invited everyone present to stay for refreshments and thanked the Beautification Committee for providing the refreshments.

There being no further business to discuss, the meeting was adjourned at 8:45 p.m.

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Marianne Lennon, Village Clerk